

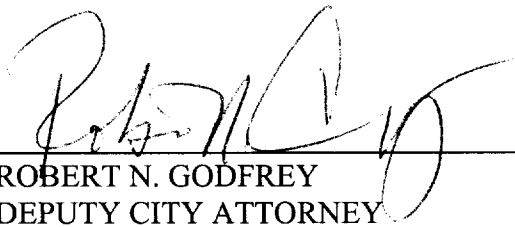
Entered - 09/03/97 - tew
CL97L0534 - DIANNE C. MITCHELL

CLAIM OF: **H. SADLER POE**
One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3424

01-R-0027

For damages alleged to have been sustained as a result of an obnoxious odor resulting from raw sewage between April 1996 and April 1997 at Grant Valley Road and Valley Road.

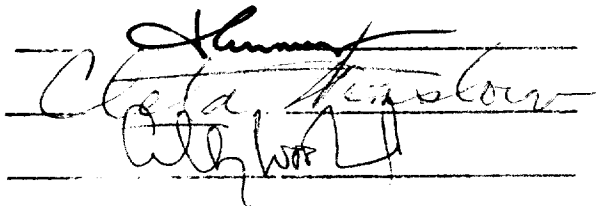
THIS ADVERSED REPORT IS APPROVED

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

ADVERSE REPORT

ADVERSE REPORT 104-18-2601

COM. P. S. & L. A.
DATE 1/16/01
CHM C. T. Martin


Cheta Henderson
City of Atlanta



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

January 26, 2001

H. Sadler Poe
One Atlantic Center
1201 West Peachtree St.
Atlanta, GA 30309-3424

01-R-0027

Dear Mr. Poe:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on January 16, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 97L0534

Date: December 27, 2000

Claimant /Victim H. SADLER POE

BY: (Atty) _____

Address: 1201 West Peachtree Street, Atlanta, Georgia 30309-3424

Subrogation: _____ Claim for Property damage \$ not stated Bodily Injury \$ _____

Date of Notice: 04/29/97 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 04/96 - 04/97 Place: Grant Valley Road and Valley Road

Department: Public Works Division: Sewer Operations

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges his property has been damaged due to an obnoxious odor due to raw sewage. However, the claimant has withdrawn his claim.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

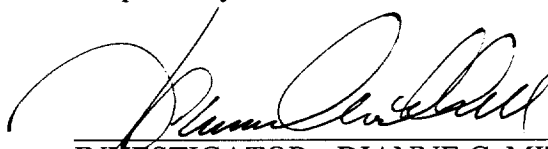
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned X

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager  Concur/date 12-28-00

Committee Action: _____ Council Action _____

RCS# 2563
1/16/01
4:18 PM

Atlanta City Council

Regular Session

Claims

MULTIPLE

Unfavorable Items 9-33

01-R-0012	01-R-0023	ADOPT
01-R-0013	01-R-0024	
01-R-0014	01-R-0025	YEAS: 13
01-R-0015	01-R-0026	NAYS: 0
01-R-0016	01-R-0027	ABSTENTIONS: 0
01-R-0017	01-R-0044	NOT VOTING: 3
01-R-0018	01-R-0045	EXCUSED: 0
01-R-0019	01-R-0047	ABSENT 0
01-R-0020	01-R-0048	
01-R-0021	01-R-0049	
01-R-0022	01-R-0050	
	01-R-0051	
	01-R-0052	

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Wooldard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	NV Boazman	NV Pitts

MULTIPLE